UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 April 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-31</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-31</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April

12, 2007 has been entered.

2.   With respect to Applicant's latest remarks/arguments, the Office has given

consideration to the remarks, but is now considered moot in light of the new grounds of

rejection, provided below, for the current listing of claims.

Claim Rejections - 35 USC § 103

1.   The following is a.quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 22, 20 and 29 are rejected under 35 U.S.C 103(a) as being

unpatentable over Johnson, U.S. Patent 5,905,874 in view of Duda et al (hereinafter

Duda), U.S. Patent Number 7,065,762 B1.

As per claim 1, Johnson in view of Duda discloses an apparatus comprising:

an input/output (I/O) device **210** [Figs. 2 & 3] being operative to:

receive a fragment of electronic data [Col 2, Lines 27-42] <u>from a node on a</u>

<u>network</u>;

<u>determine the characteristics of the fragment of electronic data</u>; and

moderate one or more interrupts <u>to a processor</u> if the <u>characteristics of the</u>

fragment of electronc data <u>indicate that the fragment of electronic data is</u> latency-

sensitive data.

While Johnson discloses substantial features of the invention such as I/O device

to receive packets and/or portions of packets (fragments) and initiating interrupts, as

above, he does not explicitly disclose the additional features of <u>determining the</u>

<u>characteristics of the fragment of electronic data</u>; and moderating one or more interrupts

<u>to a processor</u> if the <u>characteristics of the</u> fragment of electronc data <u>indicate that the</u>

<u>fragment of electronic data is</u> latency-sensitive data. The features are expressly

disclosed by Duda in a related endeavor.

Duda discloses as his invention a scheduling mechanism that fairly allocates a resource to a number of schedulable elements of which some are *latency-sensitive.* The invention enforces long-term fairness to each element while allowing *latency-sensitive* elements to be preferably selected [Abstract] [col 2, L43-60]. In particular, Duda expressly discloses the additional recited features of <u>determining the characteristics of the fragment of electronic data</u> (e.g., "latency-sensitivity characteristics) [col 5, L2]; and moderating one or more interrupts <u>to a processor</u> [col 5, L57 –col 6, L17] [Fig. 3] if the <u>characteristics of the</u> fragment of electronc data <u>indicate that the fragment of electronic data is</u> latency-sensitive data (e.g., "the packet dispatch mechanism *253 examines the contents of the data packet*, and determines the level service and output port(s) required by the data packet; determining if packet content is "*latency-sensitive or latency-insensitive*") [col 5, L3-23] [Fig. 2B].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Johnson's invention with additional feature of <u>determining the characteristics of the fragment of electronic data</u>; and moderating one or more interrupts <u>to a processor</u> if the <u>characteristics of the</u> fragment of electronic data <u>indicate that the fragment of electronic data is</u> latency-sensitive data, as disclosed by Duda, for the motivation of advantageously scheduling a resource between elements to maintain a fair long-term allocation of the resource to elements while still satisfying the responsive needs of latency-sensitive elements and to improve device performance [co 2, L29-40].

Claims 11, 20, and 29 state the same limitations as Claim 1 above, and are rejected for the same reasons as they differ only by their statutory category.

As per claim 3, Johnson dislcoses the apparatus of claim 1, wherein said I/O device comprises a network interface card (NIC) **210** [Col 2, lines 13-26; Col 3, lines 15-32; Figure 2 and 3].

As per claim 5, Johnson discloses the apparatus of claim 1, wherein said I/O device is configured to moderate by substantially immediately asserting said one or more interrupts of said associated computing platform processor [Col 2, lines 48-51 & Col 7, lines 52-56].

2.   Claims 2, 4, 12, 13, 21, 22, 30, 31 are rejected under 35 U.S.C 103(a) as being unpatentable over Johnson in view of Duda and in further view of Drottar et al (hereinafter Drottar), Patent Number 6,333,929.

As per claim 2, 12, 21 and 31, Johnson in view of Duda and in further view of Drottar discloses the apparatus of claim 1, wherein the latency-sensitive data comprises an acknowledgement (ACK).

Johnson teaches in his invention that data is typically transferred across network

segments in the form of packets or frames. Further, the data transferred and written into

the buffer of an I/O device, such as a network interface device (NIC), *are written in*

blocks of data that are in the form of packets or portions of packets (fragments) [Col 2,

Lines 27-42]. Duda discloses analyzing content of data packets to determine the

characteristics of the packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the

combination of Johnson and Duda does not expressly disclose that the portion of said

contents of said fragment of data specifically comprises an acknowledgement (ACK).

Drottar, in his invention for formatting and transmitting network packets over a

distributed computer system, discloses a packet format that includes a transaction

header **640** and a media access control (MAC) header **650** [Col 3, lines 6-9; also Col

11, lines 16-19; Figure 6]. As can be seen in the format for data packets with a MAC

header, the header format includes a field for an ACK/NAK identification and processing

[Col 13, lines 1-7; also see Col 10, lines 59-67].

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to include the packet formatting features employed by Drottar's invention into

the combined invention of Johnson and Duda for the motivation of improving packet

switching speed and processing efficiency in the transmission of data [Col 16, lines 1-

12].

Claims 12 and 21 state the same limitations as Claim 2 above, and are rejected

for the same reasons as they differ only by their statutory category.

As per claims 4, 13, and 22, Johnson in view of Drottar discloses the apparatus of claim

1, wherein the latency-sensitive data comprises one or more data packets that have a

priority designation [Drottar, Col 2, lines 31-33; also Col 16, lines 1-12 & 25-39].

Johnson teaches in his invention that data is typically transferred across network

segments in the form of packets or frames. Further, the data transferred and written into

the buffer of an I/O device, such as a network interface device (NIC), *are written in*

blocks of data that are in the form of packets or portions of packets (fragments) [Col 2,

Lines 27-42]. Duda discloses analyzing content of data packets to determine the

characteristics of the packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the

combination of Johnson and Duda does not expressly disclose that the portion of said

contents of said fragment of data specifically comprises an acknowledgement (ACK).

Drottar, in his invention for formatting and transmitting network packets over a

distributed computer system, discloses a packet format that includes a transaction

header **640** and a media access control (MAC) header **650** [Col 3, lines 6-9; also Col

11, lines 16-19; Figure 6]. Drottar expressly teaches that the packet headers (MAC

Header_650) are comprising *a priority field*, a version field and an address field [Drottar,

Col 2, lines 31-33; also Col 16, lines 1-12 & 25-39].

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to include the packet formatting feature of a field designating prioritization of

packets transmitted or received, as disclosed by Drottar, the combined invention of

Johnson and Duda for the motivation of improving packet switching speed and

processing efficiency in the transmission of data [Col 16, lines 1-12].

Claims 13 and 22 state the same limitations as Claim 4 above, and are rejected

for the same reasons as they differ only by their statutory category.

3.   Claims 6-10, 15-19, 24-28 are rejected under 35 U.S.C 103(a) as being

unpatentable over Johnson in view of Duda and in further view of Gentry Jr., Patent

Number 6,434,651.

As per claim 6, Johnson in view of Duda and in further view of Gentry discloses the

apparatus of claim 1, wherein said I/O device is configured to moderate by deferring

said one or more interrupts of said associated computing platform processor so that a

predetermined number of interrupts per unit of time is not exceeded.

For his invention, Johnson discloses a computer system that includes a host

processor, memory, an interface bus and a network interface device (NIC) for

communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor

that a block of data was received and tha a DMA transfer of data has been performed

into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the

packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and

Duda does not expressly disclose that the network interface device is configured to

moderate by deferring one or more interrupts of the host processor so that a

predetermined number of interrupts per unit of time is not exceeded.

Gentry, Jr., in his invention for modulating or suppressing the issuance of

interrupts from a communication device such as a NIC [Col 1, lines 6-10], discloses an

apparatus whereby interrupts normally generated when packets are received by a NIC

and transferred to a host processor are alternatingly enabled and disabled. In

particular, after one interrupt is issued to and serviced by a host processor, another

interrupt in not generated until a *predetermined period of time* has passed for a

specified amount of network traffic has been sent to the host computer system. [Gentry

Jr., Col 7, lines 37-47 & 51-56; also Col 8, lines 1-11 & 39-67]

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to incorporate the interrupt suppression features in Gentry Jr.'s invention into

the combined invention of Johnson and Duda so that a host processor can be more

responsive to other tasks (e.g. user activity) and to decrease the amount of processor

time used to process network traffic, by modulating the number of network interrupts

generated by a network interface.

As per claims 7, 16, 25 and 30, Johnson in view of Duda and in further view of Gentry

discloses states the apparatus of claim 1, wherein said I/O device is configured to

moderate by deferring said one or more interrupts until a particular number of fragments

of electronic data of a particular type are received by said I/O device [Gentry Jr., Col 7,

lines 19-36, 47-56, & 63-67; Col 8, lines 1-11 and 39-67].

For his invention, Johnson discloses a computer system that includes a host

processor, memory, an interface bus and a network interface device (NIC) for

communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor

that a block of data was received and tha a DMA transfer of data has been performed

into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the

packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and

Duda does not expressly disclose the apparatus wherein said I/O device is configured

to moderate by deferring said one or more interrupts until a particular number of

fragments of electronic data of a particular type are received by said I/O device.

Gentry, Jr., in his invention for modulating or suppressing the issuance of

interrupts from a communication device such as a NIC [Col 1, lines 6-10], discloses an

apparatus whereby interrupts normally generated when packets are received by a NIC

and transferred to a host processor are alternatingly enabled and disabled. In

particular, Gentry discloses the apparatus wherein said I/O device is configured to

moderate by deferring said one or more interrupts until a particular number of fragments

of electronic data of a particular type are received by said I/O device [Gentry Jr., Col 7,

lines 29-36].

It would therefore be obvious to one ordinarily skilled in the art at the time of the invention to incorporate the feature of the apparatus wherein said I/O device is configured to moderate by deferring said one or more interrupts until a particular number of fragments of electronic data of a particular type are received by said I/O in Gentry Jr.'s invention into the combined invention of Johnson and Duda so that a host processor can be more responsive to other tasks (e.g. user activity) and to decrease the amount of processor time used to process network traffic, by modulating the number of network interrupts generated by a network interface device [Gentry Jr., Col 7, lines 29-36].

Claims 16, 25 and 30 state the same limitations as Claim 1 above, and are rejected for the same reasons as they differ only by their statutory category.

As per claim 8, 17, and 26, Johnson in view of Duda and in further view of Gentry discloses the apparatus of claim 1, wherein said I/O device is configured to moderate by deferring said one or more interrupts until a particular quantity of electronic data is received [Gentry Jr., Col 7, lines 47-56, & 63-67; Col 8, lines 1-11].

For his invention, Johnson discloses a computer system that includes a host processor, memory, an interface bus and a network interface device (NIC) for communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor that a block of data was received and tha a DMA transfer of data has been performed into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and Duda does not expressly disclose the apparatus wherein said I/O device is configured to moderate by deferring said one or more interrupts until a particular quantity of electronic data is received.

Gentry, Jr., in his invention for modulating or suppressing the issuance of interrupts from a communication device such as a NIC [Col 1, lines 6-10], discloses an apparatus whereby interrupts normally generated when packets are received by a NIC and transferred to a host processor are alternatingly enabled and disabled. In particular, Gentry discloses the apparatus wherein said I/O device is configured to moderate by deferring said one or more interrupts until a particular quantity of electronic data is received [Gentry Jr., Col 7, lines 47-56, & 63-67; Col 8, lines 1-11].

It would therefore be obvious to one ordinarily skilled in the art at the time of the invention to incorporate the feature of the apparatus wherein said I/O device is configured to moderate by deferring said one or more interrupts until a particular quantity of electronic data is received in Gentry Jr.'s invention into the combined invention of Johnson and Duda so that a host processor can be more responsive to other tasks (e.g. user activity) and to decrease the amount of processor time used to process network traffic, by modulating the number of network interrupts generated by a network interface device [Gentry Jr., Col 7, lines 29-36].

Claims 17 and 26 state the same limitations as Claim 1 above, and are rejected

for the same reasons as they differ only by their statutory category.

As per claim 9, 18, and 27, Johnson in view of Duda and in further view of Gentry

discloses the apparatus of claim 1, wherein said moderation of associated computing

platform interrupt scheme is configurable through a user interface.

For his invention, Johnson discloses a computer system that includes a host

processor, memory, an interface bus and a network interface device (NIC) for

communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor

that a block of data was received and tha a DMA transfer of data has been performed

into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the

packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and

Duda does not expressly disclose the apparatus wherein said moderation of associated

computing platform interrupt scheme is configurable through a user interface.

Gentry, Jr., in his invention for modulating or suppressing the issuance of interrupts

from a communication device such as a NIC [Col 1, lines 6-10], discloses an apparatus

whereby interrupts normally generated when packets are received by a NIC and

transferred to a host processor are alternatingly enabled and disabled. In particular,

Gentry discloses the apparatus wherein said moderation of associated computing

platform interrupt scheme is configurable through a user interface [Gentry Jr., Col 7,

lines 51-56; Col 8, lines 3-11].

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to incorporate the feature of the apparatus wherein said moderation of

associated computing platform interrupt scheme is configurable through a user interface

in Gentry Jr.'s invention into the combined invention of Johnson and Duda so that a host

processor can be more responsive to other tasks (e.g. user activity) and to decrease the

amount of processor time used to process network traffic, by modulating the number of

network interrupts generated by a network interface device [Gentry Jr., Col 7, lines 29-

36].

Claims 18 and 27 state the same limitations as Claim 1 above, and are rejected

for the same reasons as they differ only by their statutory category.

As per claim 10, 19, and 28, Johnson in view of Duda and in further view of Gentry

discloses the apparatus of claim 1, and further comprising: said I/O device further being

operative to measure a particular period of time after the receipt of a fragment of

electronic data, and further being operative to moderate one or more interrupts of an

associated computing platform after said particular period of time has elapsed.

For his invention, Johnson discloses a computer system that includes a host

processor, memory, an interface bus and a network interface device (NIC) for

communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor

that a block of data was received and tha a DMA transfer of data has been performed

into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the

packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and

Duda does not expressly disclose the apparatus further comprising: said I/O device

further being operative to measure a particular period of time after the receipt of a

fragment of electronic data, and further being operative to moderate one or more

interrupts of an associated computing platform after said particular period of time has

elapsed.

Gentry, Jr., in his invention for modulating or suppressing the issuance of interrupts

from a communication device such as a NIC [Col 1, lines 6-10], discloses an apparatus

whereby interrupts normally generated when packets are received by a NIC and

transferred to a host processor are alternatingly enabled and disabled. In particular,

Gentry discloses the apparatus further comprising: said I/O device further being

operative to measure a particular period of time after the receipt of a fragment of

electronic data, and further being operative to moderate one or more interrupts of an

associated computing platform after said particular period of time has elapsed [Gentry

Jr., Col 7, lines 37-47 & 51-56; also Col 8, lines 39-67].

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to incorporate the feature of the apparatus further comprising: said I/O device

further being operative to measure a particular period of time after the receipt of a

fragment of electronic data, and further being operative to moderate one or more

interrupts of an associated computing platform after said particular period of time has

elapsed, as in Gentry Jr.'s invention, into the combined invention of Johnson and Duda

so that a host processor can be more responsive to other tasks (e.g. user activity) and

to decrease the amount of processor time used to process network traffic, by

modulating the number of network interrupts generated by a network interface device

[Gentry Jr., Col 7, lines 29-36].

Claims 19 and 28 state the same limitations as Claim 1 above, and are rejected

for the same reasons as they differ only by their statutory category.

As per claim 15, Johnson in view of Duda and in further view of Gentry discloses the

method of claim 11, wherein said moderating comprises deferring said one or more

interrupts of said associated computing platform processor if a predetermined number

of interrupts per unit time is met or exceeded

For his invention, Johnson discloses a computer system that includes a host

processor, memory, an interface bus and a network interface device (NIC) for

communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor

that a block of data was received and tha a DMA transfer of data has been performed

into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the

packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and

Duda does not expressly disclose the method wherein said moderating comprises

deferring said one or more interrupts of said associated computing platform processor if

a predetermined number of interrupts per unit time is met or exceeded.

Gentry, Jr., in his invention for modulating or suppressing the issuance of interrupts

from a communication device such as a NIC [Col 1, lines 6-10], discloses an apparatus

whereby interrupts normally generated when packets are received by a NIC and

transferred to a host processor are alternatingly enabled and disabled. In particular,

Gentry discloses the method wherein said moderating comprises deferring said one or

more interrupts of said associated computing platform processor if a predetermined

number of interrupts per unit time is met or exceeded [Gentry Jr., Col 7, lines 37-47 &

51-56; also Col 8, lines 39-67].

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to incorporate the feature of the method wherein said moderating comprises

deferring said one or more interrupts of said associated computing platform processor if

a predetermined number of interrupts per unit time is met or exceeded, as in Gentry

Jr.'s invention, into the combined invention of Johnson and Duda so that a host

processor can be more responsive to other tasks (e.g. user activity) and to decrease the

amount of processor time used to process network traffic, by modulating the number of

network interrupts generated by a network interface device [Gentry Jr., Col 7, lines 29-

36].

As per claim 24, Johnson in view of Duda and in further view of Gentry discloses the

article of claim 20, wherein said moderating comprises deferring said interrupting of said

associated computing platform processor.

For his invention, Johnson discloses a computer system that includes a host

processor, memory, an interface bus and a network interface device (NIC) for

communicating with a network [Col 3, lines 16-20]. The NIC informs the host processor

that a block of data was received and tha a DMA transfer of data has been performed

into the computer memory, via an interrupt [Col 2, Lines 40-51]. Duda discloses

analyzing content of data packets to determine the characteristics of the

packet/fragment [col 5, L2-23] [Fig. 2B & 3]. However, the combination of Johnson and

Duda does not expressly disclose the article wherein said moderating comprises

deferring said interrupting of said associated computing platform processor.

Gentry, Jr., in his invention for modulating or suppressing the issuance of

interrupts from a communication device such as a NIC [Col 1, lines 6-10], discloses an

apparatus whereby interrupts normally generated when packets are received by a NIC

and transferred to a host processor are alternatingly enabled and disabled. In

particular, Gentry discloses the article wherein said moderating comprises deferring

said interrupting of said associated computing platform processor [Gentry Jr., Col 1,

Lines 5-10; Figure 1; also Col 7, lines 10-18].

It would therefore be obvious to one ordinarily skilled in the art at the time of the

invention to incorporate the feature of the article wherein said moderating comprises

deferring said interrupting of said associated computing platform processor, as in

Gentry Jr.'s invention, into the combined invention of Johnson and Duda so that a host

processor can be more responsive to other tasks (e.g. user activity) and to decrease the

amount of processor time used to process network traffic, by modulating the number of

network interrupts generated by a network interface device [Gentry Jr., Col 7, lines 29-

36].

Conclusion

1. The Examiner has cited particular columns and line numbers in the references

applied to the claims above for the convenience of the applicant. Although the specified

citations are representative of the teachings of the art and are applied to specific

limitations within the individual claim, other passages and figures may apply as well. It

is respectfully requested from the applicant in preparing responses, to fully consider the

references in entirety as potentially teaching all or part of the claimed invention, as well

as the context of the passage as taught by the prior art or disclosed by the Examiner.

2. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Glenford Madamba whose telephone number is 571-

272-7989. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenford Madamba
Examiner
Art Unit 2151

KHANH DINH
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100